



**ఆంధ్రప్రదేశ్ రాజపత్రము**  
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**PART II - MISCELLANEOUS NOTIFICATIONS OF INTEREST TO THE PUBLIC**

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**NOTIFICATIONS BY HEADS OF DEPARTMENTS Etc.,**

**CHIEF EXECUTIVE OFFICER,  
A. P. STATE WAQF BOARD, VIJAYAWADA.**

KURNOOL DISTRICT - BANAGANAPALLI MANDAL - ASHURKHAN SITUATED AT RAMATHIRTHAM VILLAGE - SRI. S. KHADEER AHMED S/o.LATE FAKIR AHMED SAHEB - RECOGNIZED AS MUTAWALLI U/SEC.42 OF THE WAQF ACT, 1995.

- Read :
- 1) Application of Sri Khadeer Ahmed, S/o Fakir Ahmed Saheb, R/o. Kondapeta Street, BanaganapalliTown, Dt: 17-01-2014.
  - 2) This Office Memo F.No. 09/M/KNL/2014/Z-IV, Dt: 20-02-2014.
  - 3) Report of the I.A, Waqfs, Kurnool District, Dt: 26-11-2014.
  - 4) This office Memo even No., Dt: 09-01-2015.
  - 5) Report of the I.A, Waqfs, Kurnool District, Dt: 24-02-2015.
  - 6) This office Memo even No., Dt: 10-04-2018.
  - 7) Report of the I.A, Waqfs, Kurnool District, Dt: 13-08-2018.
  - 8) This Office Notification of even No., Dt: 28-09-2018.
  - 9) Report of the I.A, Waqfs, Kurnool District, Dt:16-10-2018.
  - 10) Orders of the Hon'ble Chair person, APSWB, Dt:17-01-2019.
  - 11) This Office letter even No., Dated: 21-01-2019.
  - 12) Remarks of Sri. A.Md. Imtiaz, I.A.S., Joint Collector, Guntur District, & Hon'ble Board Member of APSWB, Letter. Dt: 01-02-2019.
  - 13) Orders of the Hon'ble Chairperson, APS Waqf Board, Dt.02-02-2019.
  - 14) Board's Resolution No., 29/2019, Dt: 02-02-2019.
  - 15) Orders of the Hon'ble Chairperson, APSWB, Dated:18-02-2019.

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**F.No.09/M/KNL/2014/Z-IV,-** The Waqf institution namely Ashurkhana, situated at Ramathirtham (V), Banaganapalli (M) Kurnool District and its attached Waqf lands in Adm. Ac. 26.60 Cts in Sy.Nos.336/1A, 336/1B, 336/2, 336/3, 337, situated at Ramathirtham (V) are notified Waqf got published in A.P. Gazette No.18-A, Part-II, dated:02-05-1963 under serial No. 1758 under the Towliath of 1) Sri Sayed Hussain, 2) Sri Fakir Ahmed Saheb and 3) Sri Khader Saheb, who were expired long back.

In the reference 1<sup>st</sup> read, an application has been received from Sri. S.Khadeer Ahmed, S/o late Sri Fakir Ahmed Saheb, R/o H.No.13/40, Kondapeta Street, Banaganapalli Mandal & Town, Kurnool District with a request to appoint him as Mutawalli in place of his father late Sri. Fakir Ahmed Saheb (S.I. No. 2<sup>nd</sup> in Gazette Notified Mutawalli).

In the reference 2<sup>nd</sup> read, the matter referred to the IA, Waqfs, Kurnool District for submission of detailed report in the matter. In reply to this, the IA, Waqfs, Kurnool District in the reference 3<sup>rd</sup> read, has submitted his detailed report, wherein, he has stated that the applicant is managing the affairs of the subject Ashurkhana by enjoying the land to their father's share and paying the Waqf Fund to the Board regularly. The entire Waqf land is intact and recommended for appointment as Muthawalli.

In the references 4<sup>th</sup> & 6<sup>th</sup> read above, further information has been called for from the I.A, Waqfs, Kurnool District in the subject matter. In reply Memos, the I.A, Waqfs, Kurnool in the references 5<sup>th</sup> & 7<sup>th</sup> read, has informed that, there are no court cases are pending in respect of the subject institution. The legal heirs of the deceased notified Muthawallies are enjoying the land according to their shares and rendering the services of the Ashurkhana.

In the reference 8<sup>th</sup> read, a notification has been published calling claims / objections if any, from the persons having rights of Mutawalliship to claims or objections if any, for appointment of Muthawalli Sri. S.Khadeer Ahmed in place of his late father Sri Fakir Ahmed Saheb to the subject Waqf institution within a period of (15) days from the date of publication of this notification with documentary evidence.

In the reference 9<sup>th</sup> read above, the I.A, Waqfs, Kurnool District has reported the said notification was published in the Telugu daily News paper, Prajashakti, Kurnool District, edition on 01-10-2018, and no objections have been received within the stipulated period.

In the reference 10<sup>th</sup> read above, the matter was placed before the Hon'ble Chairperson, APSWB, who after careful examination and passed orders remarks obtain from Joint Collector, Guntur District & Hon'ble Member of A.P. State Waqf Board in the Light of Board Resolution No. 183/2018, Dt: 13-11-2018.

In the ref. 11<sup>th</sup> read above, this office has addressed a letter to Sri. A.Md. Imtiaz, I.A.S., Joint Collector, Guntur District & Hon'ble Member of AP State Waqf Board with a request to arrange the remarks in the subject matter.

In the ref. 12<sup>th</sup> read above, the Hon'ble member has furnished his remarks and inform that the applicant Sri.S.Khadeer Ahmed S/o. late Fakir Ahmed Saheb is eligible person for appointment as Mutawalli in respect of the subject Ashoorkhana in place of his deceased father Sri. Fakir Ahmed Saheb U/sec 42 of Waqf Act, 1995.

In the ref. 13<sup>th</sup> read above, the matter is placed before the Hon'ble Chair person who after careful examination and passed orders to the place matter in the Board meeting.

Similarly, the matter was placed before the Board and the Board has passed a resolution in the ref. 14<sup>th</sup> read above, "It is unanimously resolved that Sri. S.Khadeer Ahmed, S/o. late Fakir Ahmed Saheb is recognized as Muthawalli U/Sec. 42 of Waqf Act, 1995 for managing the affairs of subject Waqf institution by following Waqf Act, 1995 and Waqf Rules". In the ref. 15<sup>th</sup> read above, the Hon'ble Chairperson agreed for implementation of the Resolution No. 29/2019, Dt:02-02-2019 & issue orders.

Accordingly, Sri. S.Khadeer Ahmed, S/o. late Fakir Ahmed Saheb is hereby recognized as Mutawalli to the subject Waqf institution U/sec. 42 of Waqf Act, 1995 for managing the affairs of the subject Waqf Institution by following Waqf Act, 1995 and Waqf Rules.

The Mutawalli should discharge his legitimate duties strictly as determined in Section 50 of Waqf Act, 1995 read with Rule 20 of A.P. Waqf Rules, 2000 and should follow the instructions issued by the Board from time to time. He should submit the Accounts, Budget, Income & Expenditure statements and pay Waqf fund properly, failing which action will be taken against him U/Sec. 61 and 64 of the Waqf Act, 1995 as the duties mentioned below.

- a) To implement the orders issued by the Board from time to time.
- b) To carry out the directions of the Board
- c) To allow inspection of the Inspector Auditor, Waqfs regarding property, accounts, records, deeds and documents relating thereof.
- d) To discharge all public duties.
- e) To do any other Act which he is Lawfully required to do so or under this Act.
- f) He shall render proper and correct accounts of the Institution and its attached properties and shall not suppress any facts.
- g) That the Mutawalli is restricted to grant lease of Waqf property exceeding one year.
- h) The Mutawalli should follow the Norms fixed in Section 56 of the Waqf Act, 1995 while granting Lease of any agricultural lands. He should follow Lease Rules, 2014 to put open auction through A.P. State Waqf Board.
- i) He will not entitled to expend the Monies of Waqf exceeding @ 10% of the Net annual Income.

As per Sec. 101 (2) of Waqf Act, 1995, "Every Mutawalli of a Waqf, every member of managing committee whether constituted by the Board or under any deed of Waqf, every Executive Officer and every person holding any office in a Waqf shall also be deemed to be a public servant within the meaning of Sec.21 of the Indian Penal Code". As such, for the illegal acts if any, every member of the committee will be liable for penal action. The Mutawalli shall also noted that Sec.3 (ee) defined encroacher, Sec. 52-A explain rigorous punishment up to (2) years and Sec.61 speaks penalty and punishment up to (6) months for the lapses / charges shown therein, hence should act carefully diligently and maintain accounts scrupulously.

The APSWB reserves its right to modify / cancel / alter / with hold the order at any time without assigning any reasons thereof.

**SHAIK AHAMMED,**  
*Chief Executive Officer,*  
Andhra Pradesh State Waqf Board,  
Vijayawada.

Dated: 01-03-2019.

To  
Sri. S.Khadeer Ahmed,  
S/o. late Fakir Ahmed Saheb,  
Mutawalli of Ashurkhana,  
Ramathirtam (V), Banaganapalli (M),  
Kurnool District. (Through I.A.Waqf, Kurnool District.)

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